



**THE CITY OF NEW YORK
LAW DEPARTMENT**

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March 4, 2024

Via NYSCEF

Honorable Dale E. Ho
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Courtroom 905
New York, New York 10007

Application GRANTED. The parties' deadline to submit a joint status letter and proposed case management plan and the initial pretrial conference scheduled to take place on March 7, 2024, are ADJOURNED *sine die*, pending the Court's decision on Defendants' forthcoming Partial Motion to Dismiss the Second Amended Complaint.

SO ORDERED. The Clerk of Court is respectfully requested to terminate ECF No. 17.

Dale E. Ho
United States District Judge
New York, New York

Dated: March 5, 2024

Re: *Alston v. New York City Department of Education, et al.*
Case No. 1:24-CV-00009-DEH
Law Dep't File No. 2023-057879

Dear Judge Ho:

I am an Assistant Corporation Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, representing Defendants, the New York City Department of Education, Lashanta Baptiste, Walter Glass, and Barry Rivers (collectively, "Defendants"), in the above-referenced matter.

Defendants will be filing a Partial Motion to Dismiss the Second Amended Complaint by the end of the day today, March 4, 2024. In anticipation of this motion practice, and in accord with Your Honor's Individual Rules of Practice, I write to respectfully request that the telephonic Initial Pre-Trial Conference scheduled for 10:00 a.m. on March 7, 2024, be adjourned *sine die*, along with the parties' deadline to file a joint letter and proposed Civil Case Management Plan and Scheduling Order with the Court. Plaintiff Rasheida Alston consents to the requested adjournments.

I thank the Court for its consideration of this request.

Respectfully submitted,

/s/
Zachary T. Ellis
Assistant Corporation Counsel

CC: All counsel of record (via CM/ECF)